

ORDINANCE NO. 20190919-152

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1804, 1806 AND 1808 WEST 6TH STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-NEIGHBORHOOD PLAN (MF-4-NP) COMBINING DISTRICT ON TRACT 1 AND MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-4-CO-NP) COMBINING DISTRICT ON TRACT 2.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district on Tract 1 and multifamily residence moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district on Tract 2 on the property described in Zoning Case No. C14-2018-0150, on file at the Planning and Zoning Department, as follows:

Tract 1:

A 9,536 square foot tract or parcel of land out of the George W. Spear League in the City of Austin, Travis County, and being a portion of Lot 6, West End Heights, a subdivision recorded in Volume 3, Page 20 of the Plat Records of Travis County, Texas, said 9,536 square feet being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance, and

Tract 2:

A 0.467 acre tract of land situated in Travis County, Texas, and being out of and a part of G.W. Spear Survey Number 7, Abstract No. 697, and being a part of Lot 6, West End Heights, a subdivision recorded in Volume 3, Page 20 of the Plat Records of Travis County, Texas, said 0.467 acre being more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 1804, 1806 and 1808 West 6th Street in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “C”**.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. When the Property is redeveloped with a use permitted under multifamily residence moderate high density (MF-4) district zoning, vehicular access to Tract 2 from Theresa Avenue shall be limited to ingress only.
- B. When the Property is redeveloped with a use permitted under multifamily residence moderate high density (MF-4) district zoning, vehicular access from Tract 2 to the alley along the east boundary is prohibited except for emergency vehicles and services only.

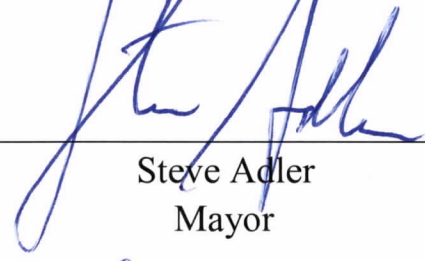
PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) base district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 020926-26 that established zoning for the Old West Austin Neighborhood Plan.

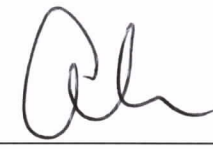
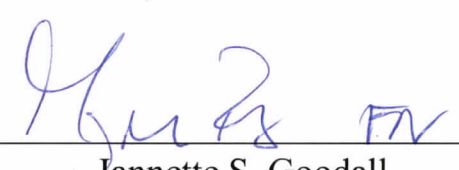
PART 5. This ordinance takes effect on September 30, 2019.

PASSED AND APPROVED

§
§
§
_____, September 19, 2019



Steve Adler
Mayor

APPROVED:  _____ **ATTEST:**  _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk

FIELD NOTES
FOR

9536 SQUARE FEET OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 6, WEST END HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 20 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60-d nail found in a concrete wall at the Southeast corner of said Lot 6, being in the North r.o.w. line of West 6th Street for the Southeast corner and PLACE OF BEGINNING hereof;

THENCE along the South line of said Lot 6, being along the North r.o.w. line of West 6th Street, N 60°39'00" W for a distance of 52.51 feet to an "x" set in concrete at the Southwest corner of said Lot 6;

THENCE continuing along the North r.o.w. line of West 6th Street, N 09°01'00" W for a distance of 30.30 feet to a ½ inch capped iron pin set at the Southeast corner of that certain tract of land conveyed to Jennifer Robuck by Document No. 2000087782 of the Official Public Records of Travis County, Texas, for the Southwest corner hereof;

THENCE along the Easterly line of said Robuck Tract, N 27°17'32" E for a distance of 95.90 feet to a ½ inch iron pipe found and N 32°00'58" E for a distance of 42.01 feet to an "x" set on a rock wall for the Northwest corner hereof;

THENCE continuing along the Easterly line of said Robuck Tract,, S 70°13'30" E for a distance of 34.91 feet to a 60-d nail set in the North line of said Lot 6, being in the West line of a 20 foot wide alley for the Northeast corner hereof;

THENCE along the North line of said Lot 6, being along the West line of said alley, S 12°01'00" E for a distance of 20.99 feet to a ½ inch iron pipe found at the Northeast corner of said Lot 6;

THENCE along the East line of said Lot 6, S 20°10'00" W for a distance of 153.58 feet to the PLACE OF BEGINNING and containing 9536 square feet of land, more or less.

SURVEYED BY:

Roy D. Smith Surveyors, P.C.



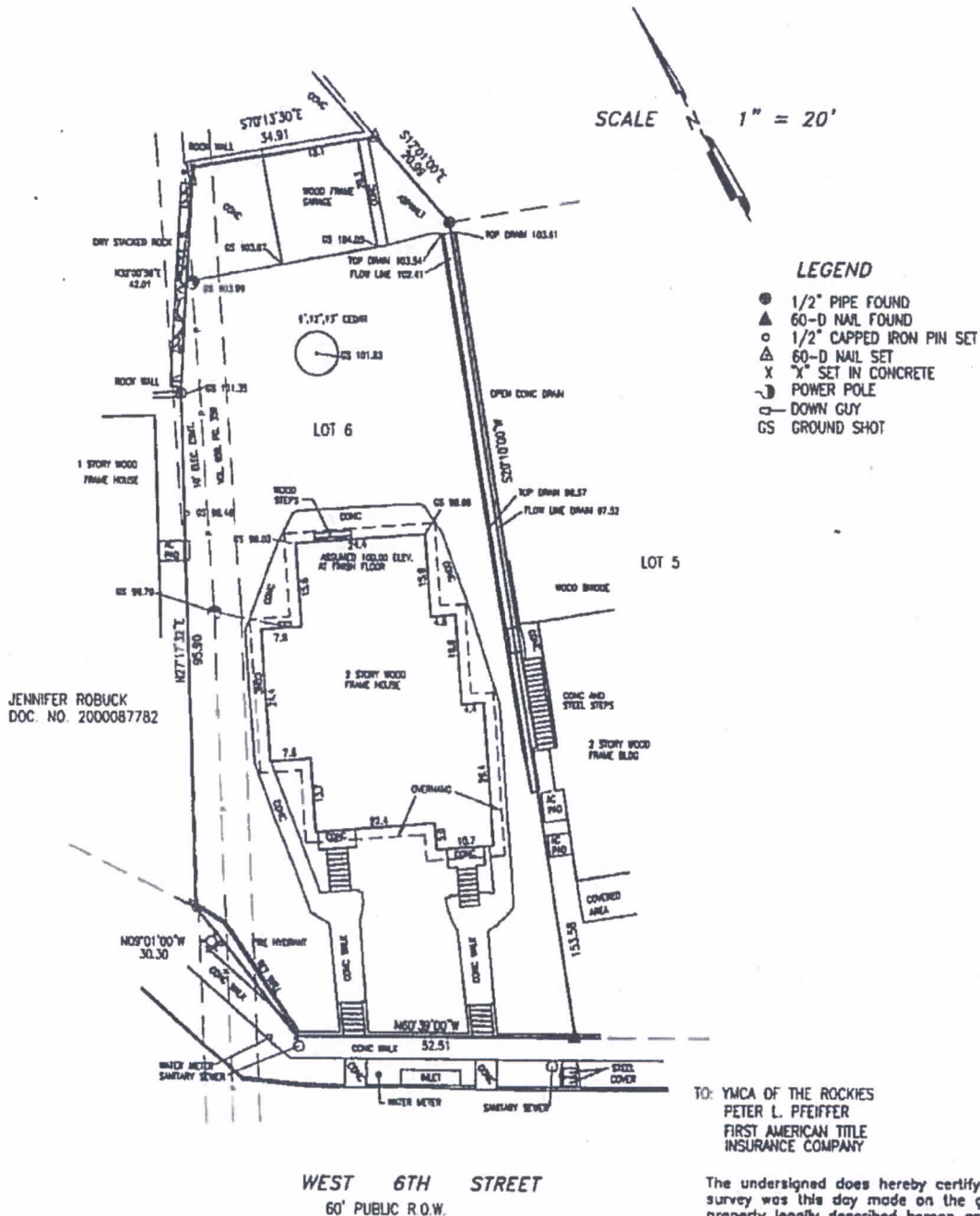
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094
July 12, 2004



Lot 6, West End Heights

Exhibit A

SURVEY PLAT OF A PORTION OF LOT 6,
WEST END HEIGHTS, ACCORDING TO THE
MAP OR PLAT RECORDED IN VOLUME 3,
PAGE 20 OF THE PLAT RECORDS OF TRAVIS
COUNTY, TEXAS, AND A PART OF THE GEORGE
W. SPEAR LEAGUE, IN TRAVIS COUNTY, TEXAS

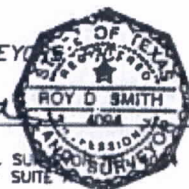


To the Lien Holders and/or the owners of the premises surveyed:

The property described herein is not within the boundaries of the 100 Year Flood Plain as identified by the National Flood Insurance Program Flood Insurance Rate Map on Panel No. 48453C 0205E for the City of Austin, Travis County, Texas, dated June 16, 1993.

SURVEYED BY
ROY D. SMITH SURVEYOR

ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
1214 WEST 5th STREET - SUITE
AUSTIN, TEXAS 78703
PHONE (512) 478 - 9821 JULY 12, 2004



FIELD NOTE DESCRIPTION FOR A 0.467 ACRE TRACT OF LAND:

BEING A LOT, TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE G. W. SPEAR SURVEY NUMBER 7, ABSTRACT NO. 697, AND BEING A PART OF LOT 6, WEST END HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 20, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SYLLABUS PARTNERS, LLC FROM THE BANK OF NEW YORK, DATED JULY 13, 2016, RECORDED IN DOCUMENT NO. 2016118577, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (HEREIN AFTER REFERED TO AS "TRACT 1", AND ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SYLLABUS PARTNERS, LLC FROM JENNIFER ROBUCK, DATED JULY 09, 2018, RECORDED IN DOCUMENT NO. 2018108238, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (HEREIN AFTER REFERED TO AS "TRACT 2", AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found in the east right of way line of Theresa Avenue, for the Southwest corner of that certain tract of land conveyed to Jeremy John Kearns and John Francis Kearns from John P. Urban, III, dated December 29, 2015, recorded in Document No. 2015204680, Official Public Records of Travis County, Texas, for the Northwest corner of said "Tract 2", and for the Northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE with the south line of the said Kearns tract and the north line of said "Tract 1", South 74°35'46" East, a distance of 131.75 feet to an iron rod found in the west line of a twenty (20') alley, for the Southeast corner of the said Kearns tract, for the Northeast corner of said "Tract 2", and for the Northeast corner of this tract;

THENCE with the west line of said alley and the east line of said "Tract 1", the following two (2) courses:

1. South 14°20'56" East, a distance of 53.24 feet to an iron rod found, for an angle corner of this tract;
2. South 13°30'36" East, a distance of 23.13 feet to an iron rod found, for an angle corner of that certain tract of land conveyed to Vairea Properties, Ltd, recorded in Document No. 2004137887, Official Public Records of Travis County, Texas, for an exterior corner of said "Tract 1", and for an exterior corner of this tract;

THENCE with the north line of the said Vairea Properties tract being common to "Tract 1", North 72°45'35" West, a distance of 35.67 feet to an iron rod found, for the Northeast corner of said "Tract 2", for the Northwest corner of the said Vairea Properties tract, and for an interior corner of this tract;

THENCE with the west line of the said Vairea Properties tract and the east line of said "Tract 2", the following two (2) courses:

1. South 28°08'26" West, a distance of 42.09 feet to an iron rod found, for an angle corner of this tract;
2. South 24°48'00" West, a distance of 95.90 feet to an iron rod found in the east right of way line of West 6th Street, for the Southwest corner of the said Vairea

EXHIBIT "B"

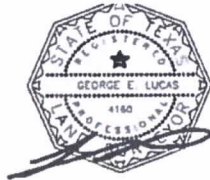
Properties tract, for the Southeast corner of said "Tract 2", and for the Southeast corner of this tract;

THENCE with the east right of way line of said West 6th Street, the following two (2) courses:

1. North 30°18'00" West, a distance of 50.63 feet to the Southwest corner of said "Tract 2" and the Southeast corner of said "Tract 1", for an angle corner of this tract;
2. North 29°30'00" West, a distance of 103.74 feet to an iron rod found in the east right of way line of said Theresa Avenue, for the Southwest corner of said "Tract 1" and for the Southwest corner of this tract;

THENCE with the east right of way line of said Theresa Avenue and the west line of said "Tract 1", North 15°50'29" East, a distance of 92.16 feet to the POINT OF BEGINNING, containing 0.467 acres of land, more or less.

CELCO Surveying
2205 Stonecrest Path
New Braunfels, Texas 78130
Firm Registration No. 10193975

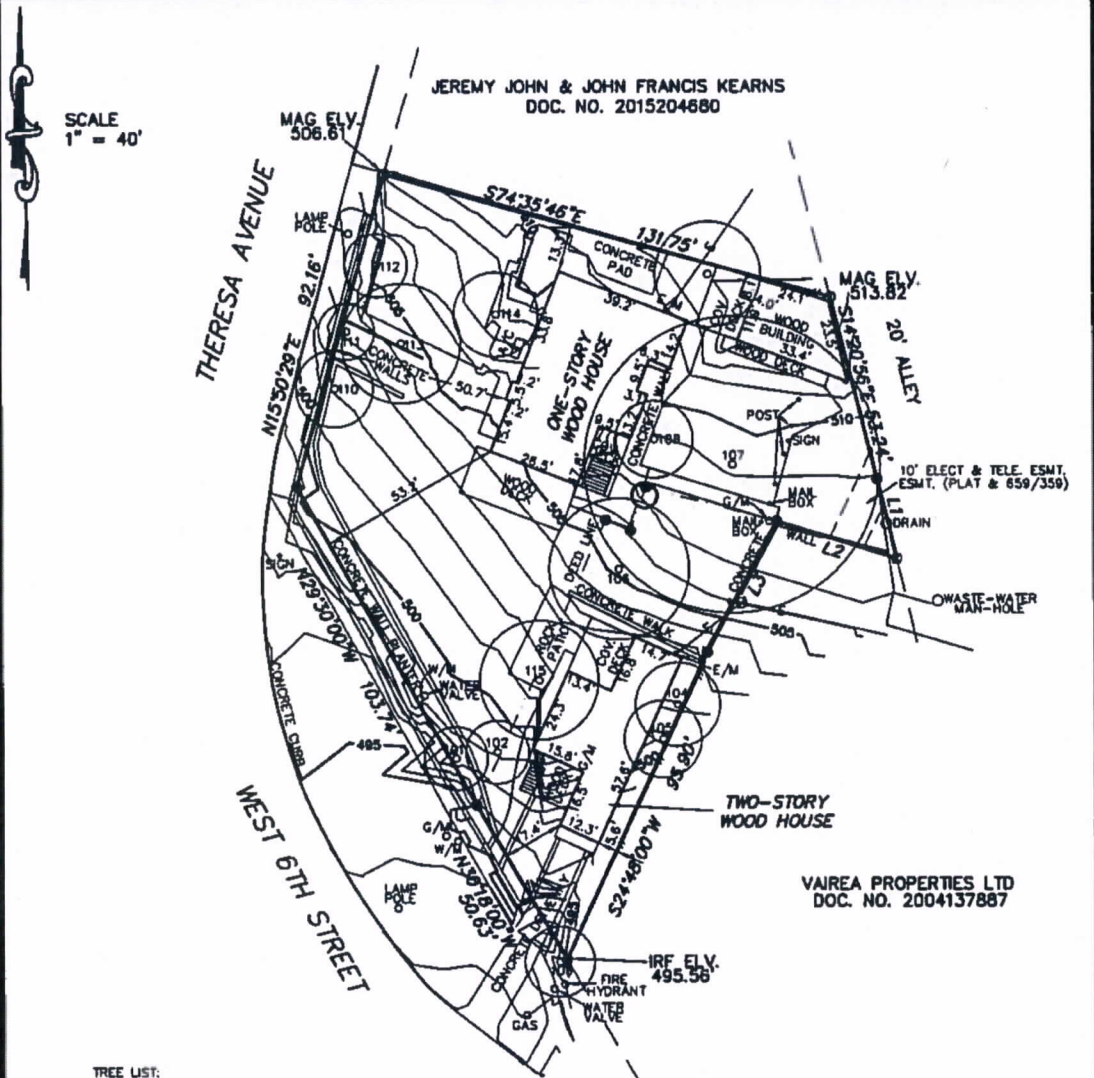


BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
July 31, 2018
2018-0492-Legal

CELCO SURVEYING
REG. # 19183673
TEL: 830-214-5109
FAX: 866-571-8323

SURVEY PLAT

2205 STONECREST PATH
NEW BRAUNFELS, TEXAS 78130
eddie@celcosurveying.com



JEREMY JOHN & JOHN FRANCIS KEARNS
DOC. NO. 2015204680

VAIREA PROPERTIES LTD
DOC. NO. 2004137887

TREE LIST:

101	PECAN	9.0"
102	PECAN	9.0"
103	ELM	10.0"
104	ELM	12.0"
105	ELM	11.0"
106	OAK	20.0"
107	LIVE OAK	42.0"
108	PECAN	11.0"
109	PECAN	15.0"
110	PECAN	11.0"
111	PECAN	8.0"
112	PECAN	9.0"
113	PECAN	17.0"
114	OAK	12.0"
115	CRAPPE MYRTLE	17.0"

EASEMENT TO CITY OF AUSTIN AS RECORDED
IN VOLUME 408, PAGE 391, DEED RECORDS,
TRAVIS COUNTY, TEXAS.
(DOES NOT AFFECT THIS TRACT EXCEPT AS
TO BLANKET RIGHTS OF INGRESS/EGRESS)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S13°30'36"E	23.13'
L2	N72°45'35"W	35.67'
L3	S28°08'26"W	42.09'

LEGEND

- = IRON ROD FOUND
- ⊙ = MAG NAIL FOUND
- () = RECORD PER PLAT
- = WOOD FENCE
- - - = METAL FENCE
- PUE = PUBLIC UTILITY EASEMENT
- DE = DRAINAGE EASEMENT
- BL = BUILDING LINE
- W/M = WATER METER
- A/C = AIR CONDITIONER
- G/M = GAS METER
- E/M = ELECTRIC METER
- ⚡ = POWER POLE

ADDRESS: 1806 W. 6TH STREET, AUSTIN, TEXAS

LEGAL DESCRIPTION: A 0.467 ACRE TRACT OF LAND BEING A PART OF LOT 6, WEST END HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 20, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND RECORDED IN DOCUMENT NO. 2018118577 AND 2018108238, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

CERTIFICATION

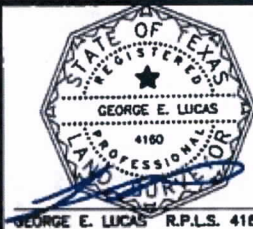
THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

BUYER: SYLLABUS PARTNERS, LLC
TITLE CO: AUSTIN TITLE COMPANY
G.F.#: 2097517-AU27 EFF: DECEMBER 7, 2015 LENDER: N/A

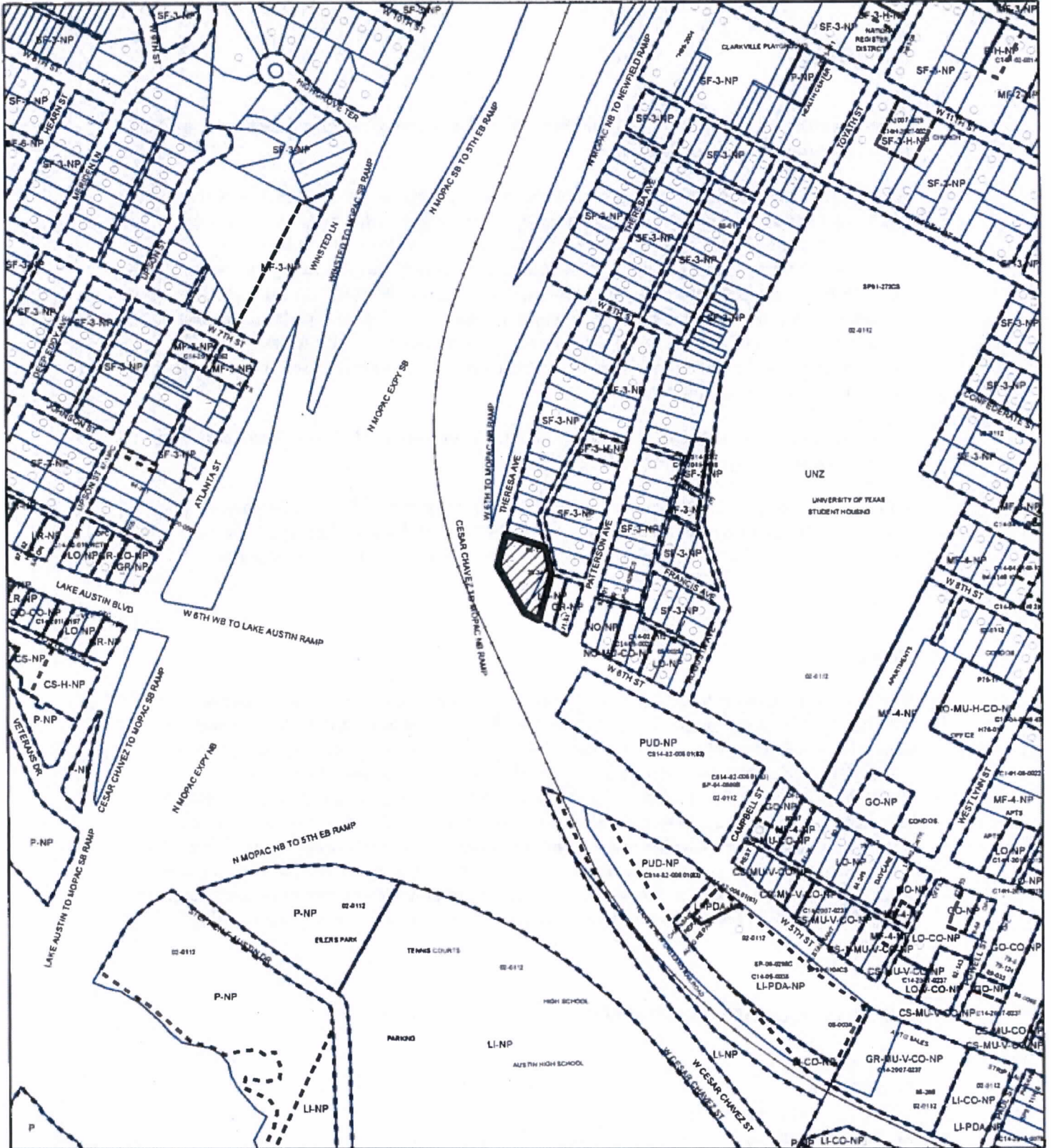
PLAN No.: 2018-0492-ALL

SURVEY DATE:

JULY 31, 2018



GEORGE E. LUCAS R.P.L.S. 4180



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2018-0150

Exhibit C

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 12/13/2018